

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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|------------------------------|---|
| UNITED STATES OF AMERICA, |) |
| |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| PARAMOUNT PICTURES, INC., |) |
| |) |
| Defendant. |) |
| |) |
| UNITED STATES OF AMERICA, |) |
| |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| LOEW'S INCORPORATED, ET AL., |) |
| |) |
| Defendants. |) |
| |) |

**MOTION OF THE UNITED STATES TO
TERMINATE ANTITRUST JUDGMENTS**

The United States moves to terminate the following judgments in the above-captioned antitrust cases pursuant to Rule 60(b) of the Federal Rules of Civil Procedure:

- 1948-49 Trade Cas. (CCH) ¶ 62,377 (S.D.N.Y. Mar. 3, 1949) (Paramount Pictures, Inc.);
- 1950-51 Trade Cas. (CCH) ¶ 62,861 (S.D.N.Y. June 7, 1951) (Twentieth Century Fox Film Corp.);
- 1950-51 Trade Cas. (CCH) ¶ 62,573 (S.D.N.Y. Feb. 8, 1950) (Columbia Pictures Corp.,

Universal Corp., and United Artists Corp.);

- 1950-51 Trade Cas. (CCH) ¶ 62,765 (S.D.N.Y. Jan. 4, 1951) (Warner Brothers Pictures, Inc.); and
- 1952-53 Trade Cas. (CCH) ¶ 67,228 (S.D.N.Y. Feb. 7, 1952) (Loew's Incorporated).

Copies of these Final Consent Judgments are attached as Appendix A. The United States moves to terminate these Decrees immediately, except for a two-year sunset period on Section II, Paragraphs 6, 7, and 8 (Section III, Paragraphs 6, 7, and 8 for the Warner Decree).

Also, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure the United States also moves to terminate the following Decree immediately:

- 1949 Trade Cas. (CCH) ¶ 62,335 (S.D.N.Y. Nov. 8, 1948) (Radio-Keith-Orpheum ("RKO"))

The RKO Decree is attached as Appendix E.

As explained in the accompanying Memorandum of Law in Support of the Motion of the United States to Terminate Antitrust Judgments, the United States has concluded that because of their age and changed circumstances since their entry, these decades-old judgments no longer serve to protect competition. The United States gave the public notice and the opportunity to comment on its intent to seek termination of the judgments in the above-captioned cases. For these and other reasons explained in the accompanying memorandum, the United States requests that these judgments be terminated.

Respectfully submitted,

FOR PLAINTIFF UNITED STATES OF AMERICA:

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